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**UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII**

U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

v.

PACIFIC FUN ENTERPRISES LLC
d/b/a SNAPPERS SPORTS BAR AND
GRILL, d/b/a SNAP-ETTE BEACH
AND LIQUOR STORE, and Does 1-5
Inclusive,

Defendants.

Case No.: CV-17-00482-ACK-KSC

**PLAINTIFF EEOC'S MOTION
FOR DEFAULT JUDGMENT**

The Honorable Kevin S. Chang
United States Magistrate Judge

Date/Place of Hearing: TBD

Plaintiff United States Equal Employment Opportunity Commission (“Commission” or “EEOC”) seeks default judgment against Defendant Pacific Fun Enterprises LLC dba Snappers Sports Bar and Grill, dba Snap-ette Beach and Liquor Store (“Snappers”) pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure and in accordance with this Court’s approved entry of default in favor of the EEOC after Snappers’ failure to answer EEOC’s Complaint.

EEOC respectfully requests the Court grant its default judgment against Snappers and award a sum of \$251,652 as prejudice will result without a default judgment ruling. Specifically, no dispute of material facts exists, Snappers’ failure to answer is not due to excusable neglect, EEOC’s Complaint sufficiently alleged and pled facts evidencing its claim for sexual harassment, retaliation and/or constructive discharge and all these claims have merit. Finally, Snappers’ own failure to answer prevents an adjudication on the merits and the Court should not reward such behavior by denying the motion for default judgment.

Given that the Claimants experienced loss of employment and substantial emotional distress because of the sexual harassment, retaliation and/or constructive discharge they experienced, and Defendant engaged in intentional retaliation and recklessly disregarded female employees’ right to work in an environment free of sexual harassment, an award of \$251,652 is warranted for compensatory damages, punitive damages, and back pay damages.

Respectfully submitted,
U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION

Date: September 27, 2018

By: /s/ Eric Yau
ERIC YAU
EEOC Trial Attorney